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PSCI 291--Lawyers and American Politics

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Clark University
Pol Sci 291: Seminar on Lawyers and American Politics
Professor: Mark C. Miller
Office: 308 Jefferson Academic Center
Office Hours: MW 10-10:45am, T 2-3pm

Spring 2016
email: mmiller@clarku.edu
Phone: 508-793-7233
Other hours by appointment

Required Books:

Sullivan, et al, Educating Lawyers. Jossey-Bass.
Miller, The High Priests of American Politics. Tennessee
Rhode, Lawyers as Leaders. Oxford.
Powell, Biglaw. Carolina Academic Press.
Pierce, Gender Trials: Emotional Lives in Contemporary Law Firms. University of California Press.
Mather, McEwen, and Maiman, Divorce Lawyers at Work. Oxford University Press.
Southworth, Lawyers of the Right. Chicago.
Stern, Buffalo Creek Disaster. Vintage.
Shdaimah, Negotiating Justice: Progressive Lawyering, Low-Income Clients, and the Quest. NYU.
Cleary, Beyond the Burning Cross. Vintage.
Epp, Making Rights Real: Activists, Bureaucrats, and the Creation of the Legalistic State. Chicago.
Baum, Judges and Their Audiences: A Perspective on Judicial Behavior. Princeton.
Sarat and Scheingold, Cause Lawyers and Social Movements, Stanford.
Levin and Mather, Lawyers in Practice, Chicago.

All books are available at the university bookstore and all are on closed reserve at Goddard Library.

Exams and Grading:

Oral Presentation in class	10%
Attendance and Participation	10%
Weekly Discussion Questions	10%
Take Home format Midterm	20%
Substantial 30-35 page Research Paper	25%
Two Hour in-Class Final Examination	25%

EXPECTATIONS OF STUDENTS: In order to get their money's worth and have fun with this class, students should want to work hard and think hard. Thus I assume all students will always attend class and complete all reading and paper assignments on time. Since this course transfers as 4 semester hours, students should expect to spend at least 180 hours on this class over the course of the semester, including the time when the class actually meets. Students must **contact the professor BEFORE the due date** concerning any late papers or problems with exams. Late work will be penalized 5 points per day. Make-up exams will be given only under extraordinary circumstances. Research papers and weekly questions must be handed in in hard copy; emailed papers are not accepted. No electronics in class without permission, please.

Leave a voicemail if you can't reach me in person or try me via email during regular business hours.

Level of Course: This senior seminar fulfills the Political Science Department requirements for a capstone seminar in American politics. The course also fulfills the capstone requirement for the Law and Society Concentration. The course assumes information from a wide variety of American government and/or Law and Society courses.

Discussion Questions: Discussion Questions on each week's reading are due in my office no later than 10:00am each Monday.

Oral Presentations: For each book discussed in class, one student will be in charge of a 10 minute introduction to the book. The introduction should cover such things as the research question of the book, the main findings of the book, brief comments about the author's methodology, and a very brief statement of the disciplinary background of the author(s). Check list for presentations is attached. There will be a sign-up sheet in the first class.

Reading and other Assignments:

Introduction & Discussion of Course – January 19

A Supreme Court Case: First Amendment Litigation — January 21
Cleary: ALL

Law School — Jan 26, 28
Miller: Chpt 2
Sullivan et al: ALL
Reserve Reading: Law Scholarship's Lackluster Reviews

Lawyers as Leaders – Feb 2, 4
Rhode: ALL
Reserve Reading: Exploring Judicial Politics book by Miller read chapter 4 by Mather

Ethics and Lawyers in a Variety of Practices – Feb 9, 11
Levin and Mather: ALL
Reserve Reading: Many D.C. Think Tanks Now Players in Partisan Wars
Reserve Reading: Tragedy or Triumph

Lawyers in Small Private Firms – Feb 16, 18
Mather, McEwen, and Maiman: ALL

Associates in Large Law Firms – Feb 23
Powell: ALL

Trip to Visit the U.S. Supreme Court and other federal judicial agencies – Feb 28-29 (by application only).

Women and Large Law Firms — March 1, 3
Pierce: ALL
Reserve Reading: Why do so Few Women Reach the Top of Big Law Firms?
Reserve Reading: Three Justices Bound by Beliefs, Not Just Gender

Take Home Midterm Due — Tuesday March 15 by noon

Cause Lawyering and Social Movements – March 15, 17
Sarat and Scheingold: ALL
Reserve Reading: Conservative's Road to Same Sex Marriage
Reserve Reading: Law and Symbolism at the Supreme Court
Reserve Reading: Illusion of a Liberal Supreme Court

Public Interest Lawyers and Legal Services— March 22, 24

Shdaimah: ALL

Reserve Reading: Roberts Court's Surprising Move Leftward

Litigation by the Right – March 29, 31

Southworth: ALL

Sarat and Scheingold: Chpt by Den Dulk

Reserve Reading: Supreme Court and Politics of Fear

Reserve Reading: It's All Right with Sam

Local Policy Change and Lawyers – April 5, 7

Epp: ALL

3rd draft of research paper due – Thursday April 7 by noon

My conference paper to be read later in the semester includes a sample bibliography and referencing system. Email me if you want an electronic version of this conference paper or you can find in on reserve.

The Story of an Environmental Civil Law Suit — April 12, 14

Stern: ALL

Lawyers as Judges – April 19, 21

Baum: ALL

Reserve Reading: Polarized Court

Reserve Reading: Down the Memory Hole

Reserve Reading: Justices on the Job

Reserve Reading: Keep the Briefs Brief, Literary Justices Advise

Final Draft of research paper due — Thursday April 21 at noon

Lawyers as Politicians — April 26, 28

Miller: ALL

Reserve Reading: Miller, Congressional Attitudes toward the Courts (especially pp 27-end).

Email me if you prefer an electronic copy of this conference paper.

Final Examination — Friday May 6, from 4:00pm – 6:00pm

Oral Presentation Check List – Seminar on Lawyers and Politics
Mark C. Miller

Professor

Name of Student _____

Substance of the Book

Author's research question

Author's thesis

Main findings of the book

What is the likely intended audience for this book? Why?

Brief discussion of the disciplinary background of the author(s)

Brief discussion of the methodology of the research

Oral Presentation Skills

Understandable speaking and diction

Appropriate volume and pace

Eye contact with audience

Logical order of presentation

Ability to answer questions

Overall presentation skills

GRADE _____